



PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

10

Application Number

10/677,399

Filing Date

October 1, 2003

First Named Inventor

David V. Smith

Art Unit

3643

Examiner Name

Swiatek, Robert P.

Attorney Docket Number

HM-87423

**ENCLOSURES (Check all that apply)**

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/  
Incomplete ApplicationReply to Missing Parts  
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional ApplicationPower of Attorney, Revocation  
Change of Correspondence Address

Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

Remarks



After Allowance Communication to TC

Appeal Communication to Board  
of Appeals and InterferencesAppeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify  
below):Amendment "B" in Response to 12/17/04  
Office Action; Return receipt postcard**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Nordman, Cormany, Hair &amp; Compton

Signature

Printed name

Jeffrey F. Craft

Date

February 23, 2005

Reg. No.

30,044

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Tawny Bryant-Schreck

Date

02/23/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No: 10/677,399 )  
 )  
Applicant: David V. Smith ) Robert P. Swiatek  
 ) Patent Examiner  
Filed: October 1, 2003 ) Art Unit 3643  
 )  
Title: ELECTRIC FISH BARRIER )  
 )  
FOR WATER INTAKES AT )  
 )  
VARYING DEPTHS )  
 )  
Atty Dkt No.: HM-87423 )  
 )

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**AMENDMENT "B" IN RESPONSE TO**  
**DECEMBER 17, 2004 OFFICE ACTION**

Mail Stop - NON-FEE AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed December 17, 2004, please consider the following amendments and remarks.

**Amendments to the Claims:** Begin on page 2 of this paper.  
**Remarks:** Begin on page 7 of this paper.